

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARILYN LUCEY,

Plaintiff,

v.

HARTFORD LIFE and ACCIDENT INSURANCE COMPANY,

Defendant.

04-CV-10800-NG

**DEFENDANT HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY'S
REQUEST FOR LEAVE TO FILE A SUPPLEMENTAL BRIEF REGARDING THE
RECENT FIRST CIRCUIT OPINION, ESTABLISHING CONTROLLING PRECEDENT**

Defendant Hartford Life and Accident Insurance Company ("Hartford") hereby requests leave of this Court to submit its Supplemental Brief regarding the recent First Circuit Opinion, Orndorf v. Paul Revere Life Insurance Company, No. 04-1520 (1st Cir. April 15, 2005). Orndorf establishes controlling precedent, which renders Plaintiff's Motion to Define the Proper Scope of the Record For Judicial Review moot.

Respectfully submitted,

Defendant Hartford Life & Accident Insurance Company

By its Attorneys,



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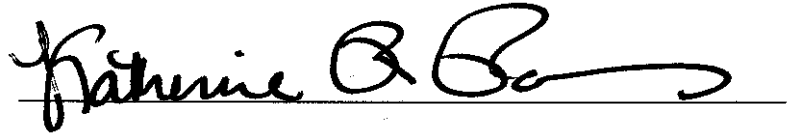
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on counsel to all other parties to this action by first class U.S. mail, postage prepaid, this 20th day of April, 2005.

A handwritten signature in black ink, appearing to read "Katherine B. Bo", is written over a horizontal line.